IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHERRY LaROSE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	**JURY TRIAL DEMANDED**
REGENT ASSET MANAGEMENT	)	
SOLUTIONS, INC.,	)	
	)	
Defendant.	)	

COMPLAINT

NOW COMES the Plaintiff, SHERRY LaROSE, by and through her attorneys, LARRY P. SMITH & ASSOCIATES, LTD., and for her complaint against the Defendant, REGENT ASSET MANAGEMENT SOLUTIONS, INC., Plaintiff states as follows:

I. PRELIMINARY STATEMENT

1. This is an action for actual and statutory damages for violations of the Fair Debt Collection Practices Act (hereinafter "FDCPA"), 15 U.S.C. §1692, et seq.

II. JURISDICTION & VENUE

2. Jurisdiction arises under the FDCPA, 15 U.S.C. §1692 et seq., and pursuant to 28 U.S.C. §1331 and 28 U.S.C. §1337.

3. Venue is proper in this district pursuant to 28 U.S.C. §1391(b).

III. PARTIES

4. SHERRY LaROSE, (hereinafter, "Plaintiff") is an individual who was at all relevant times residing in the City of Hazelwood, County of St. Louis, State of Missouri.

5. REGENT ASSET MANAGEMENT SOLUTIONS, INC., (hereinafter, "Defendant") is a business entity engaged in the collection of debt within the State of Missouri. Defendant is incorporated in the State of Colorado.

6. In its dealings with Plaintiff, Defendant held itself out as being a company collecting a debt allegedly owed by Plaintiff to U. S. Bank.

7. At all relevant times, Plaintiff was a "consumer" as that term is defined by 15 U.S.C. §1692a(3).

8. At all relevant times, Defendant acted as a debt collector as that term is defined by 15 U.S.C. §1692a(6).

IV. ALLEGATIONS

9. On or about February 1, 2010, Defendant sent Plaintiff a correspondence in an attempt to collect a debt allegedly owed by Plaintiff.

10. The debt allegedly owed by Plaintiff was incurred primarily for personal, family, or household services.

11. The aforesaid correspondence stated that Plaintiff allegedly owed a debt in addition to interest, attorney's fees and collection costs that had accrued on the debt.

12. The aforesaid correspondence stated that the interest, attorney's fees and collection costs totaled in excess of seven-hundred dollars ($700.00).

13. The aforesaid correspondence stated that the agents or attorneys representing the claim against Plaintiff would continue to proceed with collection actions against Plaintiff. The correspondence also stated that Plaintiff could settle the debt she allegedly owed but that a settlement offer would not place a hold on any legal action being taken against her.

14. Upon information and belief, at the time the aforesaid letter was sent to Plaintiff no attorney had reviewed Plaintiff's account.

15. Upon information and belief, at the time the aforesaid letter was sent to Plaintiff no attorney had initiated collection activities against Plaintiff.

16. Upon information and belief, at the time the aforesaid letter was sent to Plaintiff no attorney had initiated legal action against Plaintiff.

17. On or about February 17, 2009, Defendant initiated a telephone call to Plaintiff in a further attempt to collect a debt allegedly owed by Plaintiff.

18. During the aforementioned telephone conversation, Defendant's duly authorized representative failed to identify herself to Plaintiff.

19. During the aforementioned telephone conversation, Defendant raised her voice at Plaintiff and demanded that Plaintiff make a payment to Defendant.

20. During the aforementioned telephone conversation, Defendant questioned Plaintiff about how she was able to afford to live if Plaintiff was unable to obtain money to pay for the debt she allegedly owed.

21. During the aforementioned telephone conversation, Defendant stated that if Plaintiff did not pay Defendant for the debt then Defendant would file a lawsuit against Plaintiff.

22. Immediately after Defendant threatened legal action against Plaintiff, Defendant intentionally disconnected the telephone call with Plaintiff.

23. On or about February 17, 2010, after Defendant intentionally disconnected the aforementioned telephone call with Plaintiff, Plaintiff initiated a telephone call to Defendant and spoke with, Adam, Defendant's duly authorized representative.

24. During the aforementioned telephone call, Plaintiff requested information from Defendant regarding her account number and the amount of the debt that she allegedly owed. Defendant refused to provide Plaintiff with the requested information.

25. During the aforementioned telephone call, Defendant proceeded to argue with Plaintiff and yelled that Plaintiff should pay the debt she allegedly owed and "stop living off of tax dollars" paid by other individuals.

26. During the aforementioned telephone call, Defendant told Plaintiff if she did not pay the debt she allegedly owed then Defendant would file a lawsuit against her.

27. To date, Defendant has not filed a lawsuit against Plaintiff for the debt she allegedly owes.

28. Upon information and belief, at the time of making the aforementioned threat, Defendant had no intention of filing a lawsuit against Plaintiff for the debt she allegedly owes.

29. Upon information and belief, Defendant has no authority to file a lawsuit against Plaintiff for the debt she allegedly owes.

30. Upon information and belief, at the time of making the aforementioned threat, Defendant had no authority to file a lawsuit against Plaintiff for the debt she allegedly owes.

31. In its attempts to collect the debt allegedly owed by Plaintiff, Defendant violated the FDCPA, 15 U.S.C. §1692, in one or more of the following ways:

a. Engaged in conduct the natural consequence of which is to harass, oppress or abuse any person in connection with the collection of a debt in violation of 15 U.S.C. §1692d;

b. Placed a telephone call to a consumer without meaningful disclosure of the caller's identity in violation of 15 U.S.C. §1692d(6);

c. Used false, deceptive, misleading and unfair or unconscionable means to collect or attempt to collect an alleged debt in violation of 15 U.S.C. §1692e;

d. Falsely represented the character, amount, or legal status of any debt in violation of 15 U.S.C. §1692e(2)(A);

e. Threatened to take action that cannot legally or is not intended to be taken in violation of 15 U.S.C. §1692e(5);

f. Used any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning the consumer in violation of 15 U.S.C. §1692e(10);

g. Used unfair and/or unconscionable means to collect or attempt to collect a debt in violation of 15 U.S.C. §1692f; and,

h. Was otherwise deceptive and failed to comply with the provisions of the FDCPA.

32. As a result of Defendant's violations as aforesaid, Plaintiff has suffered, and continues to suffer, personal humiliation, embarrassment, mental anguish and emotional distress.

V. JURY DEMAND

33. Plaintiff hereby demands a trial by jury on all issues so triable.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff, SHERRY LAROSE, by and through her attorneys, respectfully prays for judgment as follows:

a. All actual compensatory damages suffered;

b. Statutory damages of $1,000.00;

c. Plaintiff's attorneys' fees and costs;

d. Any other relief deemed appropriate by this Honorable Court.

Respectfully submitted,
SHERRY LAROSE

By: s/ David M. Marco
Attorney for Plaintiff

Dated: May 4, 2010

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